



National Aeronautics and  
Space Administration

**Principal Center for Regulatory Risk Analysis and Communication**

# Regulatory Tracking Summary

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**07 May 2010**

This report summarizes regulatory items reviewed by the NASA RRAC PC. Items that appeared to have limited interest to the NASA community, or are provided for information only, are shown in light gray text. Notes and comments by the RRAC PC are shown in bold, blue text under "Description." Related documents and citations, such as "71 FR 51967," are linked to the appropriate document for quick access. Suggested follow-up actions are noted with significant items; users are advised that other follow-up actions may be appropriate for their program or facility. Previous issues of this regulatory summary are archived on the RRAC PC website at <http://www.nasa.gov/offices/rrac/home/>. Comments, questions, suggestions, and requests for further information should be directed to the RRAC PC Manager, Sharon Scroggins at 256-544-7932 ([sharon.scroggins@nasa.gov](mailto:sharon.scroggins@nasa.gov)).

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## Acronyms

AAC = Alabama Administrative Code  
 AAM = *Alabama Administrative Monthly*  
 ACToR = Aggregated Computational Toxicology Resource  
 ADEM = Alabama Department of Environmental Management  
 AQI = Air Quality Index  
 AVGAS = Aviation gasoline  
 BMP = Best management practice  
 CCR = *California Code of Regulations*; also *Colorado Code of Regulations*  
 CEM = Continuous emission monitor  
 CFR = *Code of Federal Regulations*  
 CIU = Categorical industrial user  
 COM = Continuous opacity monitor  
 COMAR = *Code of Maryland Regulations*  
 CRNR = California Regulatory Notice Register  
 DAR = Division of Administrative Rules  
 DoE = Department of Energy  
 DoL = Department of Labor  
 EO = Executive Order  
 EPA = U.S. Environmental Protection Agency  
 ERP = Environmental Resource Permit  
 F.A.C. = Florida Administrative Code  
 FAW = *Florida Administrative Weekly*  
 FDEP = Florida Department of Environmental Protection  
 FEM = Federal equivalent method  
 FEMP = Federal Energy Management Program  
 FR = *Federal Register*  
 FRM = Federal reference method  
 F.S. = Florida Statute  
 GHG = Greenhouse gas  
 GSFC = Goddard Space Flight Center  
 HID = High-intensity discharge  
 IU = Industrial user  
 IRIS = Integrated Risk Information System  
 JSC = Johnson Space Center  
 LCFS = Low Carbon Fuel Standard  
 MAF = Michoud Assembly Facility  
 MDE = Maryland Department of the Environment  
 Md.R. = *Maryland Register*  
 MPA = Marine Protected Area  
 NAAQS = National Ambient Air Quality Standard  
 NASA = National Aeronautics and Space Administration

NCSIU = Non-significant categorical industrial user  
 NMAC = New Mexico Administrative Code  
 NO<sub>2</sub> = Nitrogen dioxide  
 NO<sub>x</sub> = Nitrogen oxide  
 NPDES = National Pollutant Discharge Elimination System  
 NRC = Nuclear Regulatory Commission  
 NSR = New Source Review  
 NTU = Nephelometric turbidity unit  
 OEPA = Ohio Environmental Protection Agency  
 OSHA = Occupational Safety and Health Administration  
 PBR = Permit-By-Rule  
 PCAPCD = Placer County Air Pollution Control District  
 PM<sub>2.5</sub> = Particulate matter with an aerodynamic equivalent diameter of 2.5 microns or less  
 ppm = Part per million  
 PSD = Prevention of significant deterioration  
 RIN = Regulatory Identification Number  
 RRAC PC = Principal Center for Regulatory Risk Analysis and Communication  
 SCAQMD = South Coast Air Quality Management District  
 SIP = State Implementation Plan  
 SIU = Significant industrial user  
 SJRWMD = St. Johns River Water Management District  
 SJVUAPCD = San Joaquin Valley Unified Air Pollution Control District  
 SMAQMD = Sacramento Metropolitan Air Quality Management District  
 SLAMS = State or local air monitoring stations  
 SO<sub>2</sub> = Sulfur dioxide  
 SPM = Special purpose monitor  
 TAC = Texas Administrative Code  
 TCEQ = Texas Commission on Environmental Quality  
 TexReg = *Texas Register*  
 UAC = Utah Administrative Code  
 UIC = Underground injection control  
 U.S. = United States  
 Va.R. = *Virginia Register*  
 VAC = Virginia Administrative Code  
 VDEQ = Virginia Department of Environmental Quality  
 VE = Visible emission  
 VOC = Volatile organic compound  
 WSTF = White Sands Test Facility

## 1.0 U.S. Federal Regulatory Review

### 1.1 Federal Register Summary

This summary includes FR items that were reviewed for potential impacts to NASA Centers and Programs.

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05072010-1	Air Avgas Lead Emissions	04/28/2010	<a href="#">75 FR 22439</a>	Notice	<p>Advance Notice of Proposed Rulemaking on Lead Emissions From Piston-Engine Aircraft Using Leaded Aviation Gasoline</p> <p>Describes information currently available and information being collected that will be used to develop a proposal regarding whether lead emissions from aircraft using leaded avgas cause or contribute to air pollution that might reasonably be anticipated to endanger public health or welfare. The notice describes and requests comments regarding the data available for evaluating lead emissions, ambient concentrations, and potential exposure to lead from the continued use of leaded avgas in piston-engine powered aircraft. Comments due 06/28/2010. [RIN 2060-AP79]</p>	
FED05072010-2	Air GHG	04/30/2010	<a href="#">75 FR 22699</a>	Notice	<p>Mandatory Reporting of Greenhouse Gases: Minor Harmonizing Changes to the General Provisions [40 CFR Part 98]</p> <p>Withdraws the direct final rule to amend the general provisions for the Mandatory GHG Reporting Rule (<a href="#">75 FR 12451</a>, 03/16/2010) because of adverse comments. Amendments included minor changes to the format of several sections of the general provisions to accommodate the addition of new subparts in the future in a simple and clear manner. Also updated the language for the schedule for submitting reports and calibrating equipment to recognize that subparts that might be added in the future would have later deadlines. Effective 04/30/2010. A final rule addressing comments received will be promulgated in the future. [RIN 2060-AQ15]</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05072010-3	Air GHG	05/07/2010	<a href="#">75 FR 25323</a>	Final Rule	<p>U.S. Environmental Protection Agency, National Highway Traffic Safety Administration [49 CFR Parts 531, 533, 536, 537, and 538]</p> <p>Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards</p> <p>Establishes a National Program consisting of new standards for light-duty vehicles intended to reduce GHG emissions and to improve fuel economy. Finalizes GHG emissions standards and Corporate Average Fuel Economy standards. Standards apply to passenger cars, light-duty trucks, and medium-duty passenger vehicles, covering model years 2012 through 2016. Effective 07/06/2010. [RINs 2060-AP58; 2127-AK50]</p>	
FED05072010-4	Air Marine Engines	04/30/2010	<a href="#">75 FR 22895</a>	Final Rule	<p>Control of Emissions From New Marine Compression-Ignition Engines at or Above 30 Liters per Cylinder [40 CFR Parts 80, 85, 86, 94, 1027, 1033, 1039, 1042, 1043, 1045, 1048, 1051, 1054, 1060, 1065, and 1068]</p> <p>Finalizes a change that will allow for the production and sale of 1,000-ppm sulfur fuel for use in Category 3 marine vessels. Will generally forbid the production and sale of other fuels above 1,000-ppm sulfur for use in most U.S. waters, unless alternative devices, procedures, or compliance methods are used to achieve equivalent emissions reductions. Also includes technical amendments to motor vehicle and nonroad engine regulations involving minor adjustments or corrections to align with this final rule. Effective 06/29/2010. [RIN 2060-AQ38]</p>	<a href="#">NASA facilities</a> that operate marine vessels should be aware of these changes regarding fuels.
FED05072010-5	Air SIPs-Final Actions	05/06/2010	<a href="#">75 FR 24946</a>	Notice	<p>Proposed Consent Decree, Clean Air Act Citizen Suit</p> <p>Provides notice of a proposed consent decree to address a lawsuit filed to compel EPA to take final action on the SIP submittals for the 1997 8-hour ozone NAAQS for several states, including the following states with NASA operations: Alabama, Mississippi, Ohio, Louisiana, Colorado, and Utah. Under the terms of the proposed consent decree, EPA has agreed to take final action no later than 04/29/2011. Comments due 06/07/2010.</p>	
FED05072010-6	Climate Change Grants	04/28/2010	<a href="#">75 FR 22391</a>	Notice	<p>National Oceanic and Atmospheric Administration</p> <p>Notice of Web Site Publication for the Climate Program Office</p> <p>Announces the availability of information pertaining to an upcoming <a href="#">Climate Program Office</a> solicitation of grant proposals.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED5072010-7	Energy	04/27/2010	<a href="#">75 FR 22031</a>	Notice	<p>Office of Energy Efficiency and Renewable Energy, Department of Energy</p> <p>Energy Conservation Program for Consumer Products and Certain Commercial and Industrial Equipment: Proposed Determination Concerning the Potential for Energy Conservation Standards for HID Lamps</p> <p>Provides notice on the DoE document, <a href="#">Proposed Determination Concerning the Potential for Energy Conservation Standards for HID Lamps</a>. The document examines potential energy savings and whether a future energy conservation standard for this equipment would be technologically feasible and economically justified. Also announces the availability of a <a href="#">Preliminary Technical Support</a> document, which provides additional analysis in support of the determination. Comments due 05/27/2010. [RIN 1904-AA86]</p>	
FED05072010-8	Energy	05/03/2010	<a href="#">75 FR 23191</a>	Notice	<p>Office of Energy Efficiency and Renewable Energy, Department of Energy</p> <p>Energy Conservation Program for Consumer Products: Energy Conservation Standards for Certain Small-Diameter, Elliptical Reflector, and Bulged Reflector Incandescent Reflector Lamps</p> <p>Announces the availability of a <a href="#">Framework Document</a> describing the analytical approaches used to evaluate energy conservation standards for certain incandescent reflector lamps that have elliptical reflector or bulged reflector bulb shapes, and for lamps with diameters of 2.5 inches. Public meeting is scheduled for 05/26/2010 in, Washington, D.C. Comments due 06/17/2010. [RIN 1904-AC15]</p>	
FED05072010-9	Hazardous Materials Skin Notation Assignments	04/27/2010	<a href="#">75 FR 22148</a>	Notice	<p>Centers for Disease Control and Prevention</p> <p>Request for the Technical Review of 22 Draft Skin Notation Assignments and Skin Notation Profiles</p> <p>Seeks comments about the draft skin notation assignments and Skin Notation Profiles for 22 chemicals. The draft Skin Notation Profiles were developed to provide the scientific rationale behind the hazard-specific skin notation assignments, which are assigned to distinguish effects caused by exposure of skin to chemicals.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05072010-10	Occupational Safety	05/04/2010	<a href="#">75 FR 23637</a>	Notice	Occupational Safety and Health Administration	
	Injury and Illness Prevention				Injury and Illness Prevention Program [29 CFR Part 1910]  Invites interested parties to participate in informal stakeholder meetings regarding Injury and Illness Prevention Programs. Discussions will provide information to develop a proposed rule to proactively address workplace safety and health hazards. Meetings to be held 06/03/2010 in East Brunswick, New Jersey; 06/10/2010 in Dallas, Texas; and 06/29/2010 in Washington, D.C.	
FED05072010-11	Occupational Safety	05/05/2010	<a href="#">75 FR 24505</a>	Notice	Occupational Safety and Health Administration	
	Injury and Illness Prevention				Modernization of OSHA's Injury and Illness Data Collection Process [29 CFR Part 1904]  Invites interested parties to participate in informal stakeholder meetings regarding the modernization of OSHA's injury and illness data collection system. Comments due 06/18/2010. Meetings to be held 06/25/2010 in Washington, D.C.; and 06/03/2010 in Chicago, Illinois.	
FED05072010-12	Occupational Safety	05/05/2010	<a href="#">75 FR 24509</a>	Notice	Occupational Safety and Health Administration	
	Methylene Chloride				Notice of Availability of the Regulatory Flexibility Act Review of the Methylene Chloride Standard [29 CFR Part 1910]  Notice of a completed review of the Methylene Chloride Standard. Purpose of review was to determine whether the Standard has functioned as intended, whether changes are required, or whether it is no longer needed and should be rescinded. Conclusions of review indicate that there is a continued need for the Standard, it remains justified and necessary in light of ongoing hazards and fatalities, and it has produced the intended benefits and has not been unduly burdensome. Recommends reviewing compliance assistance materials to determine the need for updates, reviewing the adequacy of how these materials are disseminated, and reviewing additional means for reaching affected populations. RIN 218-AC23]	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05072010-13	Policy Science and Technology	04/27/2010	<a href="#">75 FR 21973</a>	Executive Order	Office of the President  Executive Order 13539—President's Council of Advisors on Science and Technology  Modifies the President's Council of Advisors on Science and Technology. The Council will be composed of the Assistant to the President for Science and Technology and 20 distinguished individuals and representatives from sectors outside of the federal government appointed by the President. Advises the President on matters involving policy that affects science, technology, and innovation, as well as scientific and technical information that is needed to inform public policy relating to the economy, energy, environment, public health, national and homeland security, and other topics. Council also will serve as the National Nanotechnology Advisory Panel. Dated 04/21/2010.	
FED05072010-14	Policy Space Industry	05/06/2010	<a href="#">75 FR 24781</a>	Notice	Office of the President  Memorandum of May 3, 2010—Task Force on Space Industry Workforce and Economic Development  Establishes a Task Force on Space Industry Workforce and Economic Development to develop an interagency action plan to facilitate economic development strategies and plans along the Space Coast and to provide training and other opportunities for affected aerospace workers so that they are equipped to contribute to new developments in America's space program and related industries. Directs the Task Force to develop and submit a comprehensive plan that does the following: <ul style="list-style-type: none"> <li>▪ Recommends how best to invest \$40 million in transition assistance funding to ensure robust workforces and economic development in those communities in Florida affected by transitions in America's space exploration program.</li> <li>▪ Describes how the plan will build on and complement ongoing economic and workforce development efforts.</li> <li>▪ Explores future workforce and economic development activities that could be undertaken for affected aerospace communities in other states, as appropriate.</li> <li>▪ Identifies areas of collaboration with other public or nongovernmental actors to achieve the Task Force objectives.</li> <li>▪ Details a coordinated implementation strategy by executive departments and agencies to meet the Task Force objectives.</li> </ul>	



RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05072010-15	Procurement Small Businesses	04/29/2010	<a href="#">75 FR 22499</a>	Notice	<p>Office of the President</p> <p>Memorandum Establishing an Interagency Task Force on Federal Contracting Opportunities for Small Businesses</p> <p>Establishes an Interagency Task Force on Federal Contracting Opportunities for Small Businesses. Designates members of the Task Force, including the Administrator of NASA. Directs the Task Force to provide to the President with proposals and recommendations for:</p> <ul style="list-style-type: none"> <li>▪ Using innovative strategies to increase opportunities for small business contractors and using and expanding mentorship programs</li> <li>▪ Removing barriers to participation by small businesses in the federal marketplace</li> <li>▪ Expanding outreach strategies to match small businesses with contracting and subcontracting opportunities</li> <li>▪ Establishing policies that are necessary or appropriate to effectuate the objectives of the memorandum</li> </ul> <p>Also directs the Task Force to develop a website that illustrates the participation of small businesses in federal contracting. Website will be designed to encourage improved collection, verification, and availability of federal procurement data and to provide accurate data regarding the federal government's progress in ensuring that all small businesses have a fair chance to participate in federal contracting opportunities. Directs the Task Force to conduct outreach with representatives of small businesses and small business associations. Dated 04/26/2010.</p>	
FED05072010-16	Regulatory Agenda	04/26/2010	<a href="#">75 FR 21723</a>	Semiannual Agenda	<p>Regulatory Information Service Center</p> <p>Introduction to the Unified Agenda of Federal Regulatory and Deregulatory Actions</p> <p>Introduces the semiannual regulatory agenda for spring 2010, which contains the plans and rulemaking agendas of certain federal entities. Published to update the public about the following:</p> <ul style="list-style-type: none"> <li>▪ Regulations and major policies currently under development</li> <li>▪ Reviews of existing regulations and major policies</li> <li>▪ Rules and major policy makings completed or canceled since the last agenda.</li> </ul> <p><b>This edition of the FR contains the agendas for agencies that may be of interest to NASA, including the following:</b></p> <ul style="list-style-type: none"> <li>▪ <a href="#">DoL (OSHA)-75 FR 21824</a></li> <li>▪ <a href="#">EPA-75 FR 21872</a></li> <li>▪ <a href="#">NASA (General Services)-75 FR 21900</a></li> </ul>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05072010-17	Ships Vessel Identification System	05/07/2010	<a href="#">75 FR 25137</a>	Proposed Rule	<p>U.S. Coast Guard</p> <p>Changes to Standard Numbering System, Vessel Identification System, and Boating Accident Report Database</p> <p>Proposes to amend rules related to numbering of undocumented vessels and reporting of casualties. These changes would align and modernize terminology used in the Standard Numbering System, the Vessel Identification System, and casualty reporting. The rules also would require validation of vessel hull identification numbers, require vessel owners to provide personally identifiable information, and provide administrative flexibility for states. Comments due 08/05/2010. [RIN 1625-AB45]</p>	
FED05072010-18	Species Largetooth Sawfish	05/07/2010	<a href="#">75 FR 25174</a>	Proposed Rule	<p>National Oceanic and Atmospheric Administration</p> <p>Endangered and Threatened Wildlife and Plants; Proposed Listing for the Largetooth Sawfish</p> <p>Proposes to list the <a href="#">largetooth sawfish</a> as endangered. Public hearing requests due 06/21/2010. Comments due 07/06/2010.</p>	
FED05072010-19	Species Susan's Purse-making Caddisfly	04/27/2010	<a href="#">75 FR 22012</a>	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; 12-Month Finding on a Petition to List Susan's Purse-making Caddisfly as Threatened or Endangered [50 CFR Part 17]</p> <p>Announces 12-month finding on a petition to list Susan's purse-making caddisfly as endangered and to designate critical habitat. Finding is that listing the Susan's purse-making caddisfly currently is not warranted.</p>	
FED05072010-20	Toxic Substances	05/07/2010	<a href="#">75 FR 25239</a>	Notice	<p>Integrated Risk Information System; Announcement of Availability of Literature Searches for IRIS Assessments</p> <p>Announces the availability of <a href="#">literature searches</a> for four IRIS assessments and requests scientific information about health effects that might result from exposure to the following chemical substances:</p> <ul style="list-style-type: none"> <li>▪ Diisobutyl phthalate</li> <li>▪ Diisononyl phthalate</li> <li>▪ Dipentyl phthalate</li> <li>▪ Polychlorinated biphenyls (noncancer) (various)</li> </ul> <p>This data call-in is a new step in the IRIS process. Although EPA conducts a thorough literature search for each chemical substance, there may be unpublished studies or other primary technical sources that are not available through the open literature. Interested persons can provide scientific analyses, studies, and other pertinent scientific information. EPA primarily is soliciting information about new assessments; however, the public may submit information about any chemical substance at any time.</p>	

RRAC PC Tracking Number	Subject	Date	Citation	Type Action	Description	Suggested Actions
FED05072010-21	Toxic Substances	05/06/2010	<a href="#">75 FR 24848</a>	Notice	Lead; Renovation, Repair, and Painting Program for Public and Commercial Buildings [40 CFR Part 745]	NASA facilities should be aware of this action.
	Lead Based-Paint				Advance notice of proposed rulemaking to regulate the renovation, repair, and painting of public and commercial buildings. Announces the commencement of proceedings to propose lead-safe work practices and other requirements for renovations on the exteriors of public and commercial buildings. Also announces proposed rulemaking to determine whether lead-based paint hazards are created by interior renovation, repair, and painting projects in public and commercial buildings, and to propose regulations to address these hazards. Comments due 07/06/2010. [RIN 2070-AJ56]	
FED05072010-22	Toxic Substances	05/06/2010	<a href="#">75 FR 25037</a>	Proposed Rule	Lead; Clearance and Clearance Testing Requirements for the Renovation, Repair, and Painting Program [40 CFR Part 745]	
	Lead Based-Paint				Proposes several revisions to the Lead Renovation, Repair, and Painting Program rule. Proposes additional requirements designed to ensure that lead-based paint hazards generated by renovation work are adequately cleaned after renovation work is finished and before the work areas are reoccupied. Specifically, proposes to require dust wipe testing after many renovations. For certain jobs, also would require the renovation firm to demonstrate, through dust wipe testing, that dust-lead levels remaining in the work area are below regulatory levels. Comments due 07/06/2010. [RIN 2070-AJ57]	

## 1.2 Other News and Developments

### 1.2.1 Department of Energy Issues Federal Fleet Management Guidance

The DoE Federal Energy Management Program (FEMP) released its Federal Fleet Management Guidance, as required by Executive Order (EO) 13514 on “Federal Leadership in Environmental, Energy, and Economic Performance.”

EO 13514 requires federal agencies to reduce petroleum fuel use by 2 percent each year from 2005 through 2020, for a total 30-percent reduction. The fleet guidance highlights a number of ways federal agencies can reduce petroleum consumption by reducing vehicle miles traveled, increasing fleet fuel efficiency, and switching to lower GHG-emitting and alternative fuels. Agencies will be accountable for meeting these goals and are required to report annually on their progress and make adjustments as necessary. Each vehicle purchase must demonstrate how it helps support the agency’s mission and sustainability targets.

The guidance can be found on the FEMP [website](#).

### 1.2.2 Searchable Database on Chemical Hazard, Exposure, and Toxicity Data now Available

EPA is releasing a database, called ToxRefDB that allows the public to search and download toxicity testing results on chemicals. ToxRefDB allows the public to search, find, and compare available studies about chemical toxicity and potential health effects.

ToxRefDB is part of the Aggregated Computational Toxicology Resource (ACToR), an online data warehouse that collects data about environmentally relevant chemicals from about 500 public sources. Users can query a specific chemical and find public hazard, exposure, and risk-assessment data, as well as previously unpublished studies related to cancer, reproductive, and developmental toxicity.

The database can be found on EPA's [website](#).

## 1.3 Regulatory Communication Working Group Updates

Regulatory Communication Working Group calls in 2010 will be held on the following Wednesdays at 12 p.m. CT:

- 19 May
- 9 June
- 30 June
- 21 July
- 11 August
- 1 September
- 22 September
- 24 November
- 15 December

## 2.0 State Regulatory Reviews

The following sections provide details about the regulatory actions reviewed for selected states in which NASA facilities and related operations are located.

### 2.1 Alabama State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Alabama.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
AL05072010-1	Water NPDES Permits	04/30/2010	<a href="#">AAM Vol. XXVIII, No. 7, p. 276</a>	Proposed Rule	Alabama Department of Environmental Protection  Water Quality Program, National Pollutant Discharge Elimination System [AAC 335 6-6]  Proposes revisions to the Notice of Intent provisions for 335-6-6-.23 General Permits under the NPDES program. These revisions are necessary for consistency with 40 CFR 122.28. A list of specific changes can be found in the <a href="#">Division 6</a> document. A <a href="#">public hearing</a> is scheduled for 06/04/2010 at ADEM, Montgomery, Alabama.	

### 2.2 California State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in California. Citations of the [CRNR](#) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (pdf) file format.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA05072010-1	Air Fuels	04/23/2010	<a href="#">CRNR 2010_18z, p. 656</a>	Final Rule	Air Resources Board  Low Carbon Fuel Standard (LCFS) 2009--Part 2 [17 CCR 95480.1, 95481, 95486]  Adopts the LCPS by finalizing provisions relating to the carbon intensity of biodiesel and renewable diesel fuel made from soybeans. Effective 04/15/2010.	
CA05072010-2	Air NAAQS--Ozone	05/05/2010	<a href="#">75 FR 24409</a>	Final Rule	U.S. Environmental Protection Agency  Designation of Areas for Air Quality Planning Purposes; California; San Joaquin Valley, South Coast Air Basin, Coachella Valley, and Sacramento Metro 8-Hour Ozone Nonattainment Areas; Reclassification [40 CFR 81]  Reclassifies the following four areas designated as nonattainment for the 1997 8-hour ozone NAAQS: The San Joaquin Valley area from "serious" to "extreme," the South Coast Air Basin area from "severe-17" to "extreme," and the Coachella Valley and Sacramento Metro areas from "serious" to "severe-15." Effective 06/04/2010.	
CA05072010-3	Air SIP	05/05/2010	<a href="#">75 FR 24408</a>	Final Rule	U.S. Environmental Protection Agency  Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [40 CFR 52]  Finalizes approval of revisions to the SJVUAPCD portion of the California SIP. These revisions concern NOx emissions from residential water heaters. Effective 06/04/2010.	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CA05072010-4	Air SIP	05/05/2010	<a href="#">75 FR 24544</a>	Proposed Rule	<p>U.S. Environmental Protection Agency</p> <p>Revisions to the California State Implementation Plan, Placer County Air Pollution Control District, Sacramento Metropolitan Air Quality Management District, San Joaquin Valley Unified Air Pollution Control District, and South Coast Air Quality Management District [40 CFR 52]</p> <p>Proposes to approve revisions to the PCAPCD, SMAQMD, SJVUAPCD, and SCAQMD portions of the California SIP. These revisions concern VOC emissions from facilities that use organic solvents and from petroleum and chemical facilities. Comments due 06/04/2010.</p>	
CA05072010-5	Species Mohave Ground Squirrel	04/27/2010	<a href="#">75 FR 22063</a>	Notice	<p>U.S. Fish and Wildlife Service</p> <p>Endangered and Threatened Wildlife and Plants; 90-day Finding on a Petition to List the Mohave Ground Squirrel as Endangered with Critical Habitat [50 CFR 17]</p> <p>Initiates a status review to evaluate whether listing the species is warranted. Comments due 06/28/2010.</p>	

## 2.3 Colorado State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Colorado.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
CO05072010-1	Air Quality	04/25/2010	<a href="#">CO Register Vol. 33, No. 09</a>	Final Rule	<p>Colorado Department of Public Health and Environment</p> <p><a href="#">Air Quality Control Commission</a> [5 CCR 1001]</p> <p>Announces final approval of revisions to 5 CCR 1001-10 Regulation Number 8, Control of Hazardous Air Pollutants, to incorporate by reference amendments to federal standards for lead emissions and to repeal certain standards for stationary sources of hydrogen sulfide. Effective 05/15/2010.</p>	
CO05072010-2	Air Quality	04/25/2010	<a href="#">CO Register Vol. 33, No. 09</a>	Final Rule	<p>Colorado Department of Public Health and Environment</p> <p><a href="#">Air Quality Control Commission</a> [5 CCR 1001]</p> <p>Announces final approval of revisions to 5 CCR 1001-14 Ambient Air Quality Standards:</p> <ul style="list-style-type: none"> <li>Removal of the ambient air quality standards in the Ambient Air Table in Section II</li> <li>Removal of the state-only PSD SO<sub>2</sub> increments in Section I.B.</li> <li>Administrative changes, including typographical, grammatical, and formatting corrections.</li> </ul> <p>Effective 05/15/2010.</p>	

## 2.4 Florida State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Florida.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL05072010-1	Air General Provisions	04/30/2010	<a href="#">FAW Notice #8524183</a>	Proposed Rule	<p>Florida Department of Environmental Protection</p> <p>Air Pollution Control—General Provisions [F.A.C. 62-204]</p> <p>Proposes rule amendments to adopt-by-reference federal air pollution regulations at 40 CFR Parts 50 and 58, as described below:</p> <ul style="list-style-type: none"> <li>40 CFR 50, National Primary and Secondary Ambient Air Quality Standards: <ul style="list-style-type: none"> <li>Updated primary and secondary NAAQS for NO<sub>x</sub> (with NO<sub>2</sub> as the indicator).</li> <li>Updated 2008 and 2010 NAAQS event flagging and initial description and detailed documentation deadlines for the NO<sub>2</sub> 1-hour standard.</li> <li>Added Appendix S, Interpretation of the Primary NAAQS for Oxides of Nitrogen (Nitrogen Dioxide), to explain the data-handling conventions and computations necessary for determining when the primary NAAQS for NO<sub>x</sub>, as measured by NO<sub>2</sub>, are met.</li> </ul> </li> <li>40 CFR 58, Ambient Air Quality Surveillance: <ul style="list-style-type: none"> <li>Subpart A, General Provisions: Updated acronym for Annual Average Daily Traffic and the definition for Near-Road NO<sub>2</sub> Monitor.</li> <li>Subpart B, Monitoring Network: Establish an annual monitoring network plan and conduct periodic network assessments.</li> <li>Appendix A, Quality Assurance Requirements for SLAMS, SPMs, and PSD Air Monitoring: Established a measurement of uncertainty for NO<sub>2</sub>.</li> <li>Appendix C, Ambient Air Quality Monitoring Methodology: NO<sub>2</sub> FRM or FEM used for making primary NAAQS decisions must be capable of providing hourly averaged concentration data.</li> <li>Appendix D, Network Design Criteria for Ambient Air Quality Monitoring: Updated NO<sub>2</sub> design criteria for monitoring sites.</li> <li>Appendix E Probe and Monitoring Path Siting Criteria for Ambient Air Quality Monitoring: Updated criteria for horizontal and vertical placement of probes.</li> <li>Appendix G, Uniform Air Quality Index (AQI) and Daily Reporting: Updated the explanation of the relationship between AQI and air pollution levels and breakpoints for the AQI.</li> </ul> <p>Comments due 05/21/2010.</p> </li></ul>	
FL04072010-2	Water Florida Oceans and Coastal Council	04/30/2010	<a href="#">FAW Notice #8569579</a>	Notice Meeting	<p>Florida Department of Environmental Protection</p> <p>Office of Coastal and Aquatic Managed Areas</p> <p>The Florida Oceans and Coastal Council will hold a public meeting to further its duties under the Oceans and Coastal Resources Act on 05/17/2010.</p>	

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL04072010-3	Water Marinas	04/30/2010	<a href="#">FAW Notice #8530682</a>	Notice Workshop	Florida Department of Environmental Protection Clean Marina Program Workshop  Announces a Clean Marina workshop for new and existing marine and freshwater marinas, boatyards, and retailers. Participants can learn how to apply for grant funding to install a pump-out at their facilities and how to qualify to become designated as clean facilities. Scheduled for 05/11/2010 in Largo, Florida.	
FL05072010-4	Water Pretreatment	04/20/2010	<a href="#">FAW Notice #8605663</a> , <a href="#">#8605372</a> , <a href="#">#8605469</a> , <a href="#">#8605566</a> , <a href="#">#8605081</a> , <a href="#">#8605178</a> , <a href="#">#8605275</a> , <a href="#">#8604790</a> , <a href="#">#8604887</a> , <a href="#">#8604984</a> , <a href="#">#8604499</a> , <a href="#">#8604596</a> , and <a href="#">#8604693</a>	Final Rule	Florida Department of Environmental Protection Pretreatment Requirements for Existing and Other Sources of Pollution [F.A.C. 62-625]  Final rule amends Chapter 62-625, Pretreatment Requirements for Existing and Other Sources of Pollution, F.A.C., to incorporate changes that EPA made to 40 CFR Part 403, General Pretreatment Regulations for Existing and New Sources of Pollution. Amendments are intended to streamline procedures for approval and implementation of the pretreatment program. Amendments are as follow: <ul style="list-style-type: none"> <li>▪ Allow control authorities to authorize an IU subject to categorical Pretreatment Standards to reduce sampling of a pollutant if the IU demonstrates that a given pollutant is neither present nor expected to be present in the discharge.</li> <li>▪ Allow control authorities to authorize the use of equivalent concentration limits in lieu of mass limits for CIUs in certain industrial categories.</li> <li>▪ Allow control authorities to issue general control mechanisms to groups of SIUs that are substantially similar.</li> <li>▪ Allow control authorities to reduce oversight of certain CIUs based on the percentage of contribution to the wastewater facility.</li> <li>▪ Allow control authorities to reduce oversight of certain IUs that may be reclassified as NCSIUs.</li> <li>▪ Provide greater flexibility in the use of certain sampling techniques.</li> <li>▪ Allow, in certain circumstances, control authorities to express CIUs' concentration-based categorical Pretreatment Standards as equivalent mass limits.</li> <li>▪ Clarify that wastewater facilities may use BMPs as alternatives to numeric limits that are developed to protect the wastewater treatment facility, water quality, and sewage sludge.</li> <li>▪ Clarify the definition of significant noncompliance as it applies to violations of instantaneous and narrative requirements and to late reports.</li> <li>▪ Make changes to the evaluation of local limits and evaluation of the need for a pretreatment program for certain discharges to UIC wells.</li> </ul> Effective 05/10/2010.	
FL05072010-5	Water SJRWMD	04/30/2010	<a href="#">FAW Notice #8587912</a>	Notice Meeting	St. Johns River Water Management District  Announces a public meeting to discuss regulatory and non-regulatory matters. Scheduled for 05/11/2010 in Palatka, Florida.	



Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
FL05072010-6	Water SJRWMD	04/30/2010	<a href="#">FAW Notice #8586457</a>	Notice Meeting	St. Johns River Water Management District Projects & Land Committee  Announces a business meeting to discuss agenda items, followed by Committee recommendations to be approved by the Full Governing Board. Scheduled for 05/10/2010 in Palatka, Florida.	
FL05072010-7	Water Environmental Resource Permit	04/30/2010	<a href="#">FAW Notice #8615557</a>	Proposed Rule	Florida Department of Environmental Protection  Environmental Resource Permitting, Rules Adopted by Reference [F.A.C. 62-330.200]  Proposes amendments to incorporate updates of the SJRWMD rules, including the SJRWMD Applicant's Handbooks governing Stormwater Regulation and Management and Storage of Surface Waters. FDEP uses these rules to implement the ERP program, within the geographic territory of the SJRWMD. All the rules that are proposed to be updated are already in effect and are being used by the SJRWMD. FDEP needs to adopt the updated rules to provide consistency in implementing the ERP program. Comments due 05/21/2010.	
FL05072010-8	Water Surface Water Quality Standards	04/30/2010	<a href="#">FAW Notice #8185265</a>	Proposed Rule	Florida Department of Environmental Protection  Surface Water Quality Standards [F.A.C. 62-302]  Proposed revisions to the existing surface water classification system to establish a new sub-classification of Class III waters titled Class III-Limited that is intended to recognize that some artificial or altered waters cannot fully support a Class III use due to human-induced physical or habitat conditions. Proposed revisions are based on recommendations resulting from four previous workshops that were held on 08/18/2009, 11/18/2009, 01/07/2010, and 02/22/2010. No surface waters are proposed for reclassification as part of this rulemaking. Comments due 05/14/2010.	

## 2.5 Louisiana State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Louisiana.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
LA05072010-1	Radiation Protection NRC Compatibility	05/20/2010	<a href="#">RP051ft</a>	Proposed Rule	Louisiana Department of Environmental Quality  Miscellaneous Amendments for NRC Compatibility [Title 33, Part XV, 102, 328, 713, and 763]  Proposes to amend the radiation protection regulations to be compatible with the federal regulations found in 10 CFR 32 and 35. The changes in the state regulations are Category B and C (must do) requirements for the State of Louisiana to remain an NRC agreement state. A public hearing will be held in Baton Rouge, Louisiana, on 06/24/2010. Comments due 07/01/2010.	

## 2.6 Maryland State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Maryland.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD05072010-1	Air Monitoring	05/07/2010	<a href="#">37:10 Md.R. 724</a>	Final Rule	<p>Maryland Department of Environment</p> <p>General Administrative Provisions [COMAR 26.11.01] and Control of Fuel-Burning Equipment, Stationary Internal Combustion Engines, and Certain Fuel-Burning Installations [COMAR 26.11.09]</p> <p>Amends regulations as proposed in <a href="#">37:3 Md.R. 269</a> on 01/29/2010:</p> <ul style="list-style-type: none"> <li>Clarifies the definition of CEM and adds definitions for COM, "capacity factor," and "operating time."</li> <li>Clarifies which requirements are for COMs and CEMs.</li> <li>Revises procedures for demonstrating compliance with VE requirements.</li> <li>Adds procedures that allow fuel-burning equipment to replace COMs with CEMs for particulate matter.</li> <li>Adds enforcement procedures for COMs for fuel-burning equipment.</li> </ul> <p>Effective 05/17/2010.</p>	
MD05072010-2	Water Stormwater Permit	05/07/2010	<a href="#">37:10 Md.R. 735</a>	Proposed Action	<p>Maryland Department of the Environment, Water Management Administration</p> <p>General Discharge Permit for Stormwater Associated with Construction Activity (MDR10) [COMAR 26.08.04.09A]</p> <p>Proposes the following changes to the General Discharge Permit for Stormwater Associated with Construction Activity:</p> <ul style="list-style-type: none"> <li>Would prohibit discharges prohibited by the <a href="#">Federal Effluent Limitations Guidelines</a>.</li> <li>Would require new construction projects authorized under the general permit to implement erosion and sediment controls, soil stabilization, dewatering, pollution prevention measures, and surface outlets.</li> <li>Effective 08/02/2011, all construction projects authorized under the general permit that disturb 20 or more acres would be required to comply with a daily average effluent turbidity limitation of 280 NTUs.</li> <li>Effective 02/02/2014, all construction projects authorized under the general permit that disturb 10 or more acres would be required to comply with a daily average effluent turbidity limitation of 280 NTUs.</li> </ul> <p>Public hearing must be requested in writing by 05/27/2010. Comments due 06/07/2010.</p> <p><a href="#">Further information is posted on the MDE website.</a></p>	<a href="#">GSFC</a> should be aware of the proposed changes.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
MD05072010-3	Water Stormwater	05/07/2010	<a href="#">37:10 Md.R. 719</a>	Emergency Action	Maryland Department of the Environment Water Management, Stormwater Management [COMAR 26.17.02] Establishes emergency regulations for small businesses with projects already in the pipeline. Will allow these small business projects to proceed under the previous regulations, thereby diminishing the need for redesign. Emergency status expires 10/04/2010.  <a href="#">Further information is available on the MDE Stormwater Management Program website.</a>	

## 2.7 Mississippi State Regulatory Review

No regulatory items of interest were identified during this reporting period for the state of Mississippi.

## 2.8 New Mexico State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in New Mexico.

Tracking Number	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
NM05072010-1	Air Significant Figures	04/30/2010	<a href="#">NM Register Vol. XXI, p. 330</a>	Final Rule	Environmental Improvement Board <a href="#">Air Quality</a> (Statewide), General Provisions [20.2.1 NMAC] Revises 20.2.1 NMAC Section 5, Effective Date, and adds a new section, Section 116, Significant Figures. Effective 06/01/2010.	<a href="#">WSTF</a> should be aware of these changes.
NM05072010-2	Air SIP-Interstate Transport	05/03/2010	<a href="#">75 FR 23167</a>	Notice	U.S. Environmental Protection Agency Approval and Promulgation of Implementation Plans; New Mexico; Interstate Transport of Pollution [40 CFR Part 52] Announces withdrawal of direct final rule regarding the New Mexico SIP (04/08/2010, <a href="#">75 FR 17868</a> ) due to receipt of adverse comments. Direct final rule withdrawn effective 05/03/2010. A final rule that addresses comments will be published in a subsequent final action.	

## 2.9 Ohio State Regulatory Review

There were no regulatory items of interest identified during this reporting period for the state of Ohio.

### 2.9.1 Quarterly Newsletter Available

The OEPA Division of Hazardous Waste Management has published the [Spring 2010 Notifier Quarterly Newsletter](#). This issue includes the following articles:

- Weight of Containers
- Annual Reports and Environmental Protection
- Federal Import/Export Rule Revisions
- *Notifier's* New Look

- Ask the Inspector
- Cooperative Approach to Corrective Action

## 2.10 Texas State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Texas. Citations of the *Texas Register* are linked within the text to the corresponding entry in the version of the *Texas Register*. Current and historical versions of the *Texas Register* can be downloaded from the [Texas Register section of the Texas Secretary of State website](#).

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
TX05072010-1	Air New Source Review	04/30/2010	<a href="#">35 TexReg 3447</a>	Proposed Rule	Texas Commission on Environmental Quality Control of Air Pollution By Permits For New Construction Or Modification [30 TAC 116.110]  Proposes language that would restrict an owner or operator of a facility authorized by a PBR or standard permit from applying for an NSR permit for 12 months after the PBR or standard permit was registered or claimed. This is intended to prevent applicants from using the PBR or standard permit as a head start for the construction of a facility that ultimately will be authorized by an NSR permit. Public hearing to be held 05/18/2010 in Austin, Texas.	
TX05072010-2	Air Permits-By-Rule	04/30/2010	<a href="#">35 TexReg 3443</a>	Proposed Rule	Texas Commission on Environmental Quality Permits By Rule–Proposed Amendment to General Requirements [30 TAC §106.4]  Proposes to clarify the prohibition against circumvention with more specific language to ensure that a single project, related project segments, and an entire plant would be required to either meet the qualifications of a PBR or a standard permit. Intent of the proposed rule is to prevent entities from separating the authorization for a project or plant between PBRs and standard permits in order to exceed the emission limits for PBRs, from circumventing certain public notice requirements; or avoiding having to meet the hourly or annual emission limitations of a standard permit for individual facilities. Public hearing to be held 05/18/2010 in Austin, Texas.	
TX05072010-3	Species Attwater's Prairie-Chicken	04/26/2010	<a href="#">75 FR 21649</a>	Notice	U.S. Fish and Wildlife Service Endangered and Threatened Wildlife and Plants; Attwater's Prairie-Chicken Recovery Plan, Second Revision  Announces the availability of the Attwater's Prairie-Chicken Recovery Plan, Second Revision. The document is available on the <a href="#">U.S. Fish and Wildlife Service website</a> .	<a href="#">JSC</a> should be aware of this document.
TX05072010-4	Water Water Quality Management Plan	05/07/2010	<a href="#">35 TexReg 3667</a>	Notice	Texas Commission on Environmental Quality Notice of Availability of the Draft April 2010 Update to the Water Quality Management Plan  Announces the availability of the draft April 2010 Update to the <a href="#">Water Quality Management Plan for the State of Texas</a> . Comments due 06/07/2009.	

## 2.10.1 Houston Achieves Attainment for PM2.5

EPA recently confirmed agreement with the TCEQ that the Houston area is in attainment for PM2.5. There are three PM2.5 monitors in Houston, but only the Clinton Drive monitor, located in an industrial area near the Ship Channel, showed elevated readings. Electron microscopy showed that a large portion of the Clinton monitor samples consisted of soil and dust particles. To reduce PM2.5 levels, a nearby parking lot was paved; barriers were installed to prevent trucks from driving on dusty shoulders; new, cleaner railroad engines were put into service; and many other actions were taken, including voluntary dust reductions from industry and enhanced dust suppression requirements. The PM2.5 levels at the monitor have been reduced from the highest annual average reading of 16 micrograms per cubic meter to a recent average of 12.6 micrograms per cubic meter. The NAAQS for PM2.5 is 15 micrograms per cubic meter, so the area has been shown to meet the standard. More information is available on [TCEQ's website](#).

## 2.11 Utah State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA related operations in Utah.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
UT05072010-1	Radioactive Material Licensing	05/01/2010	<a href="#">UT Bull. Vol. 2010-9; DAR File No. 33554</a>	Proposed Rule	Division of Radiation Control; Utah Department of Environmental Quality  Requirements of General Applicability to Licensing of Radioactive Material [UAC R313-19]  Proposes to remove references to obsolete items or products containing quantities of radioactive materials that are exempt from regulation, add an exemption for certain smoke detectors containing radioactive material, prohibit the aggregation of exempt quantities of radioactive material to a quantity in excess of the defined limits, prohibit a person from introducing radioactive material into a product or material that may be transferred to a person who is exempt from regulation, and prohibit out-of-state licensees from transferring or disposing of radioactive material possessed or used under Subsection R313-19-30(1) to a person who is exempt from Subsection R313-19-13(2)(a). Comments due 05/31/2010.	
UT05072010-2	Radioactive Material Licensing	05/01/2010	<a href="#">UT Bull. Vol. 2010-9; DAR File No. 33555</a>	Proposed Rule	Division of Radiation Control; Utah Department of Environmental Quality  General Licenses [UAC R313-21]  Proposes to allow a radioactive material licensee that possesses both a specific license and general license to transfer a radioactive device from the general license to the specific license. The changes are necessary to maintain the compatibility of the Utah Radiation Control Rules with federal regulations. Comments due 05/31/2010.	

## 2.12 Virginia State Regulatory Review

This summary includes items that were reviewed for potential impacts to NASA Centers and Programs in Virginia. Citations of the Virginia Register (Va.R.) are linked to the appropriate volume of the Register, which is published in Adobe Acrobat (.pdf) file format.

Tracking Number.	Subject	Date Published	Ref. Page	Type Action	Description	Suggested Actions
VA05072010-1	Water Wastewater	04/26/2010	<a href="#">26:17 Va.R. 2394</a>	Emergency Rule	State Board of Health Emergency Regulations for Alternative Onsite Sewage Systems [12VAC5-613-10 through 180] Establishes performance, operation, monitoring requirements, and horizontal setbacks for alternative onsite sewage systems. Effective 04/07/2010 through 04/06/2011.	<a href="#">NASA facilities</a> with septic tanks should be aware of this action.
VA05072010-2	Water Water Quality	04/26/2010	<a href="#">26:17 Va.R. 2411</a>	Public Notice	Virginia Department of Environmental Quality The Final <a href="#">2010 Water Quality Assessment Guidance Manual</a> is available. <b>Further information is available on the VDEQ <a href="#">website</a>.</b>	